IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.752 OF 2007

Presenjit Panditrao Bhise
and 5 Ors. ...Applicants.

Versus

Senior Police Inspector
and Anr. ...Respondents.

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Mr.U.G.Nighot, Advocate for the Applicants.
Mr.S.R.Shinde, APP, for State.

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CORAM : SMT.V.K.TAHILRAMANI,J.

DATED : 14th March, 2007.

P.C.:

1. Heard the learned Advocate for the Applicants and the learned APP for the State.

2. The applicants are seeking anticipatory bail in C.R.No.13 of 2007 registered at Sahakar Nagar Police Station, Pune. The said case is under Sections 327, 504, 506, 496, 498 R/w. 34 of IPC. It is the case of the prosecution that the signatures of the complainant-Sujata Dadasaheb Ingale were taken on blank papers and thereafter after giving her some intoxicating substance, she

was got married to the present applicant No.1.

3. The complainant is 23 years of age. At the time of the incident she was working as a Assistant Civil Engineer. On account of job she was residing with her paternal aunt Sindhubai Bhise. The applicant No.1 is the son of Sindhubai Bhise.

4. It is the case of the complainant that the signatures were taken on the blank papers. However, not only the marriage ceremony was performed, but, thereafter the said marriage was registered. Signatures of the complainant are found on the Marriage Registration Certificate. The said Marriage Registration Certificate is in printed form. The complainant is an educated girl who has signed on the printed certificate hence she obviously knows the contents of the said certificate. The photographs pertaining to the marriage also clearly show that the complainant was not unconscious at the time of the incident, but, she has actively participated in the marriage ceremony. Even if one does not place reliance on these photographs, there are signatures of the

complainant on the Marriage Registration Certificate. Besides this the applicant No.1 and the complainant have both remained present in the Marriage Registration Office wherein the photographs of the complainant and applicant No.1 appear in the said form along with their finger prints.

5. All these facts prima facie belie the case of the complainant who was major at the time of the incident.

6. In this view of the matter, I am inclined to grant anticipatory bail to the applicants.

7. In the event of arrest, the applicants to be released on bail in the sum of Rs.10,000/- each with one or two sureties to make up the said amount. The applicants shall attend the Sahakar Nagar Police Station, Pune for a period of ten days and thereafter once in a month.

8. Application is disposed of.

(SMT.V.K.TAHILRAMANI,J.)